

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, to wit, "Ether, Purified for Anesthesia U. S. P. X."

Misbranding was alleged for the reason that the statement on the can label, to wit, "Ether, Purified for Anesthesia U. S. P. X," was false and misleading, since the article showed the presence of excess acidity.

On May 20, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17311. Adulteration and misbranding of Third Degree Special Aid and Third Degree Three Purpose liquid. U. S. v. 1 Gallon of Third Degree Special Aid for Necro and Flu, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24587, 24588, 24607, 24608. I. S. Nos. 033749, 033750, 034078, 034079, 034082, 034083, 034084. S. Nos. 2922, 2923, 2933, 2934.)**

On March 4, 1930, and March 11, 1930, respectively, the United States attorney for the Southern District of Iowa, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 3 gallons of Third Degree Special Aid and 26 gallons of Third Degree Three Purpose liquid, in various lots at Montezuma, Deep River, and Earlham, Iowa, alleging that the articles had been shipped by the Drovers Veterinary Union, from Omaha, Nebr., in part on or about February 13, 1930, and in part on or about February 14, 1930, and transported from the State of Nebraska into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analyses of samples of the article by this department showed that the Third Degree Special Aid consisted essentially of sodium hydroxide, volatile oils including camphor and oil of anise, small amounts of guaiacol, and cresol, and water (approximately 89.0 per cent), colored with a red dye, and it did not contain castor oil; and the Third Degree Three Purpose liquid consisted essentially of sodium hydroxide, tarry material, oil of turpentine, and water (approximately 94.0 per cent).

It was alleged in the libels that the articles were adulterated in that they were sold under the following standard of strength, "Castor Oil U. S. P.," in the case of the Third Degree Special Aid, and "Water as vehicle not to exceed 80%," in the case of the Third Degree Three Purpose liquid, whereas the said articles fell below such professed standards.

Misbranding was alleged for the reason that the statements, "Castor Oil U. S. P.," and "Water as vehicle not to exceed 80%," regarding the respective products, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the therapeutic effects of the articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Third Degree Special Aid) "Third Degree Special Aid for Necro and Flu \* \* \* 250 Lbs. in six months;" (Third Degree Three Purpose liquid) "Third Degree Three Purpose Liquid for Hogs \* \* \* 250 lbs. in six months \* \* \* for unthrifty or poor doing hogs."

On May 9, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17312. Misbranding of Speedy laxative cold tablets. U. S. v. 15 Dozen Packages of Speedy Laxative Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23386. I. S. No. 03606. S. No. 1558.)**

On February 15, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 dozen packages of Speedy laxative cold tablets at Jersey City, N. J., alleging that the article had been shipped by D. C. Leo & Co. (Inc.), Des Moines, Iowa, on or about January 14, 1929, and transported from the State of Iowa into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended.